

USSN 10/034,981

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Art Unit: 1615

REMARKS

Claims 1-14 are remain pending after entry of the instant amendment. No new matter has been added. Any amendments to and/or cancellation of the claims should in no way be construed as an acquiescence to any of the Examiner's rejections and was done solely to expedite the prosecution of the application.

Applicants thank the Examiner for the telephone conversation of November 18, 2003. In that interview, the prior art rejection of record and potential amendments to claim 1 were discussed to overcome that rejection. In the instant Amendment After Final, Applicant has amended the claims of the invention to more distinctly claim the present invention. In particular, claim 1 has been amended to include in the body of the claim that the claimed method is for the treatment of the subject having a migraine headache an effective dose of intravenous valproate such that the abortive treatment of acute migraine headache occurs. The abortive treatment of acute migraine via administration of intravenous valproate featured in the instant claims is clearly distinguishable over the teachings of Welch and Walser, either alone or in combination.

SUMMARY

Applicant submits that in view of the above, pending claims 1-14 are in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite the prosecution of the above-identified application, the examiner is urged to call Applicant's Attorney at (617) 227-7400.

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